

Message Text

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ACTION STR-07

INFO OCT-01 IO-13 ISO-00 STRE-00 AGR-05 CEA-01 CIAE-00
COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05
SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01
DOE-15 OIC-02 AF-10 ARA-10 EA-10 EUR-12 NEA-11
DOEE-00 /174 W

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P 201544Z JUN 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 1090

LIMITED OFFICIAL USE SECTION 01 OF 02 GENEVA 09355

USMTN

STR FOR ACTION

STR PASS CODEL

E.O. 11652: N/A
TAGS: MTN, ETRD
SUBJECT: GOVERNMENT PROCUREMENT SUBGROUP MEETING,
- JUNE 12-13

1. SUMMARY: SPECIAL AND DIFFERENTIAL TREATMENT FOR
DEVELOPING COUNTRIES (S&D) WAS THE DOMINANT THEME
OF JUNE 12-13 GOVERNMENT PROCUREMENT (GP) SUBGROUP
MEETING. ADDITIONALLY, SUBGROUP DISCUSSED AND AGREED
TO BEGIN NEGOTIATIONS ON COVERAGE OF PROCUREMENT EN-
TITIES WITH INVITATION TO THOSE INTERESTED IN JOINING
CODE TO TABLE OFFER LISTS. LATEST DRAFTS ON TENDERING
PROCEDURES AND INFORMATION WERE DISCUSSED BRIEFLY.
NEXT SUBGROUP MEETING WILL BE SET BY THE CHAIRMAN IN
CONSULTATION WITH DELEGATIONS. END SUMMARY.

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2. S&D: INDIAN DEL (KUMAR) PRESENTATION OF GOI S&D
PROPOSAL (MTN/NTM/W/155) SERVED AS A CATALYST FOR A
WIDE EXCHANGE OF VIEWS ON THIS SUBJECT. INDIAN PRO-
POSAL WHICH SUGGESTS "SPRINKLING" OF S&D PROVISIONS
THROUGHOUT CODE RAISED SIGNIFICANT DIFFERENCES OF
OPINION BETWEEN DEVELOPED AND DEVELOPING COUNTRIES.

U.S. DEL (SHELLEY) STRESSED THAT NATIONAL TREATMENT AND NON-DISCRIMINATION WERE THE CORNERSTONES OF THE CODE AND COULD NOT BE COMPROMISED IN THE DEVELOPMENT OF S&D PROPOSALS. U.S. DEL NOTED HOWEVER THAT SEVERAL S&D PROPOSALS WERE NOW ON THE TABLE AND SUGGESTED THAT THOSE DELS INTERESTED SHOULD ATTEMPT TO COME UP WITH INTEGRATED TEXT ON S&D. THIS SUGGESTION WAS GENERALLY SUPPORTED BY DC'S AND LDC'S. EC DEL (DERISBOURG) SAID THAT EC INTERNALLY WAS WORKING ON AN INTEGRATED TEXT ON S&D WHICH WOULD BE AVAILABLE SHORTLY. NORDIC DEL (LEMMEL) SUGGESTED APPROPRIATE S&D MIGHT CONSIST OF TIME-LIMITED DEROGATIONS FROM THE CODE FOR LDC'S AND OF SMALLER ENTITY COVERAGE FOR LDC'S.

3. REVISED DRAFTS ON "TENDERING PROCEDURES" (MTN/NTM/W/158) AND ON "INFORMATION" (MTN/NTM/W/159) ATTRACTED LITTLE COMMENT BY OTHER THAN THE PLURILATERAL GROUP MEMBERS. INDIAN DEL PROPOSED THAT GREATER WEIGHT SHOULD BE GIVEN IN THE CODE LANGUAGE TOWARD USE OF OPEN OVER SELECTIVE TENDERING PROCEDURES. MODIFICATION OF THE PROVISION ON OFFSETS/LICENSING OF PRODUCTION WAS PROPOSED BY MEXICAN DEL (DELGADO) TO ALLOW DEVELOPING COUNTRIES THE USE OF GREATER DOMESTIC CONTENT REQUIREMENTS IN GOVERNMENT PURCHASING AND TO FACILITATE THE TRANSFER OF TECHNOLOGY TO DEVELOPING COUNTRIES. JAPANESE DEL (ABE) EXPRESSED SUPPORT FOR LANGUAGE IN LIMITED OFFICIAL USE

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W/158 AND W/159 IN PLACE OF GOJ PROPOSALS FOUND IN MTN/NTM/W/153 & 153 AND SUGGESTED THAT NEW DRAFTS BE INCLUDED IN REVISED W/133. INDIAN DEL AT THIS POINT INDICATED THAT A REVISED W/133 SHOULD ALSO CONTAIN GOI PROPOSAL. IN VIEW OF FURTHER ANTICIPATED CHANGES TO TENDERING PROCEDURES AND INFORMATION SECTIONS AND TO AVOID S&D SPRINKLING, U.S. DEL RECOMMENDED DELAY IN ISSUANCE OF NEW W/133.

4. SCOPE AND COVERAGE: IN DISCUSSION OF COVERAGE NEGOTIATIONS, SUBGROUP AGREED TO PROCEDURE IN WHICH INTERESTED PARTIES ARE TO TABLE THEIR INITIAL OFFERS BETWEEN JUNE 27 AND JULY 7. IN ADDITION TO LISTS OF ENTITIES, PARTICIPANTS ARE TO PROVIDE SUPPLEMENTAL INFORMATION, WHERE AVAILABLE, ON THE VALUE OF PRODUCTS PURCHASED BY SUCH ENTITIES. OFFER LISTS WILL BE DISTRIBUTED ONLY TO THOSE WHICH DIRECTLY PARTICIPATE IN COVERAGE NEGOTIATIONS. THE GATT SECRETARIAT, HOWEVER, WILL HAVE AVAILABLE ONE COPY OF EACH OFFER FOR INSPECTION BY THOSE NOT PARTICIPATING IN THE COVERAGE NEGOTIATIONS. IT WAS ALSO AGREED THAT ANY COUNTRY MAY MAKE REQUESTS OF OTHERS ON ENTITY COVERAGE. A FEW COUNTRIES (EC, JAPAN, AND

SWEDEN) ANNOUNCED INTENTIONS OF TABLING THEIR OFFERS DURING THE AGREED TIME SPAN. EC DEL NOTED THAT EC WILL AT FIRST TABLE ONLY A GLOBAL OFFER FOR THE COMMUNITY AS A WHOLE ALTHOUGH IT MIGHT BE POSSIBLE TO PROVIDE ADDITIONAL DETAILS DURING THE NEGOTIATING PHASE. U.S. DEL UNDERScoreD IMPORTANCE OF ADHERING TO JULY 15 DATE AND OF COMPLETION OF CODE BEFORE MOVING ON TO COVERAGE QUESTION. LDC'S HAD FEW COMMENTS ON THE COVERAGE NEGOTIATIONS. INDIAN DEL SAID A DECISION FOR GOI TO TAKE PART IN THE OFFER PROCEDURE WOULD DEPEND ON HOW THE S&D PROVISIONS FOR THE CODE DEVELOP AND ON ITS ASSESSMENT OF OFFERS BY DEVELOPED COUNTRIES.

5. THE SUBGROUP AGREED TO HAVE THE CHAIRMAN SET DATE LIMITED OFFICIAL USE

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FOR THE NEXT MEETING IN CONSULTATIONS WITH DELEGATIONS.

6. DRAFTED BY SHELLEY/KUWABARA. CULBERT

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